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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 740/2022 & CM APPL. 9325/2024**

**KAMLESH PANWAR & ORS.**

..... Petitioners

Through: Mr. Sanjoy Ghosh, Senior Advocate  
with Ms. L. Gangmei and Mr. Rohan  
Mandal, Advocates.  
(M): 9811142757  
Email: rajivaggl@yahoo.com

versus

**SVR CHANDRA SHEKHAR & ORS.**

..... Respondents

Through: Mrs. Avnish Ahlawat, Standing  
counsel with Ms. Tania Ahlawat,  
Mr. Nitesh Kumar Singh,  
Ms. Laavanya Kaushik, Ms. Aliza  
Alam and Mr. Mohnish Sehrawat,  
Advocates for respondent/DCB.

**59**

+ **CONT.CAS(C) 1365/2022 & CM APPL. 9322/2024**

**KAMLESH PANWAR AND ANR**

..... Petitioners

Through: Mr. Sanjoy Ghosh, Senior Advocate  
with Ms. L. Gangmei and Mr. Rohan  
Mandal, Advocates.  
(M): 9811142757  
Email: rajivaggl@yahoo.com

versus

**SH SVR CHANDRA SHEKHAR CEO DELHI CANTONMENT**



BOARD AND ANR.

..... Respondents

Through: Mrs. Avnish Ahlawat, Standing  
counsel with Ms. Tania Ahlawat,  
Mr. Nitesh Kumar Singh,  
Ms. Laavanya Kaushik, Ms. Aliza  
Alam and Mr. Mohnish Sehrawat,  
Advocates for respondent/DCB.

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+ CONT.CAS(C) 1587/2023 & CM APPL. 9328/2024

REENA KUMAR GAUR AND ORS

..... Petitioners

Through: Mr. Sanjoy Ghosh, Senior Advocate  
with Ms. L. Gangmei and Mr. Rohan  
Mandal, Advocates.  
(M): 9811142757  
Email: rajivaggl@yahoo.com

versus

SH KAPIL GOYAL AND ORS

..... Respondents

Through: Mrs. Avnish Ahlawat, Standing  
counsel with Ms. Tania Ahlawat,  
Mr. Nitesh Kumar Singh,  
Ms. Laavanya Kaushik, Ms. Aliza  
Alam and Mr. Mohnish Sehrawat,  
Advocates for respondent/DCB.

61

+ CONT.CAS(C) 191/2023 & CM APPL. 9324/2024

AJIMOL JESTINE

..... Petitioner

Through: Mr. Sanjoy Ghosh, Senior Advocate  
with Ms. L. Gangmei and Mr. Rohan  
Mandal, Advocates.  
(M): 9811142757



Email: rajivaggl@yahoo.com

versus

SHRI S.V.R. CHANDRA SHEKHAR & ANR..... Respondents

Through: Mrs. Avnish Ahlawat, Standing  
counsel with Ms. Tania Ahlawat,  
Mr. Nitesh Kumar Singh,  
Ms. Laavanya Kaushik, Ms. Aliza  
Alam and Mr. Mohnish Sehrawat,  
Advocates for respondent/DCB.

**CORAM:**  
**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER**  
**15.02.2024**

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**CM APPLs. 9325/2024, 9322/2024, 9328/2024 and 9324/2024**

1. The present applications have been filed on behalf of the petitioners for directions to the respondents to engage the petitioners directly in terms of the vacancy for staff nurse shown in engagement notice dated 25<sup>th</sup> January, 2024 and not to create any third party rights on the said post.
2. Issue notice.
3. Notice is accepted by learned counsel appearing for the respondents.
4. Learned counsel appearing for the respondents submits that a new wing of the hospital is being opened, for which there are new vacancies. However, she submits that the new vacancies, which have arisen, have nothing to do with the present case pending before this Court.
5. She further submits that the respondents had given an offer to all the petitioners to join the new contractor in order to continue as contractual



workers, on the same terms and conditions on which they had been working on contractual basis. She submits that except the 16 petitioners who are present before this Court in the present four petitions, 39 para-medical staff has already joined on contractual basis with the new contractor, on the same terms and conditions, as earlier.

6. She further submits that the present applications would not be maintainable in view of the fact that the present proceedings are in the nature of contempt and not writ jurisdiction.

7. At this stage, this Court has put forth a pointed query to learned Senior Counsel for the petitioners as to whether the petitioners would also be willing to accept the offer of the respondents and join the respondent hospital on contractual terms with the new contractor, in view of the fact that other similarly placed contractual employees have already joined on contractual basis with the new contractual agency.

8. Learned senior counsel appearing for the petitioners submits that he needs time to seek instructions.

9. Likewise, learned counsel appearing for the respondents seeks time to take instructions as to whether the said offer is still available for the petitioners, as of now.

10. Considering the urgency expressed in the matter, list for hearing on 26<sup>th</sup> February, 2024 on “*Top of the Board*” in the Advance List.

11. The next date of hearing of 18<sup>th</sup> March, 2024 is cancelled.

**MINI PUSHKARNA, J**

**FEBRUARY 15, 2024**

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